



AUTORITETI  
MEDIAVE  
AUDIOVIZIVE



***“Broadcasting During Elections and the Role of  
the Regulatory Authorities” Monitoring  
Systems – Receiving and Examining Complaints  
Process***



## ***Broadcasting During Elections and the Role of the Regulatory Authorities***

- **Role of AMA during the election monitoring**
- Based on the Electoral Code and Law on Audiovisual Media Authority, during the election campaign, AMA is only the provider of its infrastructure to the Central Election Commission (CEC).
- The Media Monitoring Board, (MMB), as a structure of the Central Election Commission, CEC, uses the Monitoring Studio of AMA for 30 days of the election campaign.
- The Monitoring Board reports this data on daily, weekly and final periods to CEC, from which the CEC takes the official decision for cases when the audio and audiovisual operators violate the Electoral Code on the electoral campaign coverage.

## ***Broadcasting During Elections and the Role of the Regulatory Authorities***

- It should be noted that AMA has no decision-making right in this period of election campaign, but only provides the monitoring studio. The inclusion of monitors or other employees of the Monitoring Studio is done by MMB, as well as the payment for the period of one month.
- In addition, based on the agreement AMA-CEC, the Authority makes available to MMB the working environment, computer and inventor needed to perform better the duties under the Electoral Code.
- The MMB officially compiles the list of programs under monitoring for one month of the campaign and the Monitoring Studio of AMA implements it.



## ***Broadcasting During Elections and the Role of the Regulatory Authorities***

- One of the latest main commitments of the Monitoring and Archive Studio has been the cooperation with the Media Monitoring Board, as a structure of the Central Election Commission, during the election campaign of 21 June 2015.
- Based on Law 97/2013, Electoral Code of Albania and the collaboration agreement between AMA and CEC, the Authority provided services only through the Studio for the Media Monitoring Board. The Monitoring and Archive Studio conducted the registration and monitoring of how audio and audiovisual subjects, whose signal reached its premises, cover the electoral campaign.
- The data the Studio provided to BMM focused on the time subjects provided in their informative programs and debate broadcasts, to candidates, parties and coalitions competing during the campaign and advertisements.



## ***Broadcasting During Elections and the Role of the Regulatory Authorities***

- In this period (*local power election June 2015*) have been monitored:
  - the main news editions, 600 news editions and 1800 hours broadcasting;
  - political debates, around 1500 hours recordings;
  - broadcast of advertisements, around 4500 recordings.



# Terms of Cooperation Agreement between AMA and CEC on monitoring the election campaign

No later than three months prior to the election date, the CEC and the AMA sign a memorandum of understanding on the rules, modalities and time limits for the use of the technical capacities of the AMA for the purposes of monitoring.

## SAMPLE

The parties to this agreement agree to the following:

- **Article 1**
- The purpose of this agreement is the commitment of parties, in compliance with the relevant legal obligations, to define the rules, manner and deadlines on the exploitation of the technical and human capacities of AMA for the monitoring needs of the election campaign, in radio and public and private television, in function to Elections.



# Terms of Cooperation Agreement between AMA and CEC on monitoring the election campaign

## **Article 2**

In this Cooperation Agreement, the parties act in accordance with Law no.97/2013, dated 04.03.2013 “On Audiovisual Media in the Republic of Albania” and Law no. 10019, dated 29.12.2008 “The Electoral Code of the Republic of Albania”, as amended.

## **Article 3**

The Audiovisual Media Authority undertakes the following:

- a. To make available to the Media Monitoring Board, the monitoring studio with the technical equipment for monitoring, as well as the technical and monitoring staff, from the moment of the establishment of the Media Monitoring Board, until its last report to the CEC, after the election campaign ends.
- b. To make available to MMB the sufficient premises to perform the monitoring,
- c. To record programs digitally for 15 (fifteen) television operators of the list provided by the Media Monitoring Board. For recording of programs broadcasted by local radio and television operators to make recordings with surveys for those subjects, whose signal reaches the Monitoring Studio of AMA.

# Terms of Cooperation Agreement between AMA and CEC on monitoring the election campaign

## **Article 4**

CEC undertakes the financial expenses for the payment of staff, who will conduct the monitoring.

## **Article 5**

For the implementation of the rights and obligations, arising from this agreement, the parties act based on the competencies provided by the legislation in force. In this framework, AMA recognizes the directing role of the Central Election Commission on monitoring of radio and television operators, at national and local level and is committed for the performance of duties arising from this Cooperation Agreement.



# The Media Monitoring Board

- Establishment of the Media Monitoring Board
- The Media Monitoring Board is composed of 7 members. Each of the CEC members appoints one Media Monitoring Board member from the list proposed by national non-for-profit media organisations, according to the following procedure:
- a) no later than 4 months before the beginning of the electoral campaign, the CEC asks the District Court of Tirana a list of non-for-profit organizations that operate in the media sector, which have been registered at least 1 year before the date of the upcoming elections;



# The Media Monitoring Board

- b) no later than 80 days before the beginning of the electoral campaign, the CEC sends to the non-for-profit organizations, which are identified according to letter "a" in this article, a request to propose members for the Media Monitoring Board;
- c) within 30 days from the request of the CEC, each of these non-for-profit organizations proposes no fewer than three candidates for board members. The proposed candidates shall be journalists, analysts or media researchers, by profession or experience;
- ç) no later than 45 days before the beginning of the electoral campaign, each member of the CEC chooses one name from the submitted proposals, according to letter "c" of this article, for the board member, and presents it to the CEC. The CEC approves the Media Monitoring Board in compliance with the deadline of point 1 of article 85.

# The Media Monitoring Board

- **Electoral campaign monitoring**
- 1. The CEC, 40 days before the starting of the electoral campaign, shall establish a Media Monitoring Board, which has the duty to monitor the implementation of the provisions of this Code on the electoral campaign by public and private radio and television broadcasters. The Media Monitoring Board exercises its activity in the entire electoral territory. In order to perform its monitoring, the Board uses the AMA's technical capacities. For local broadcasters that cannot be covered by the monitoring tools of the AMA, local monitors are appointed. Local monitors are placed at the Local Electoral Commission where the radio/television broadcaster to be monitored has its broadcasting station. No later than three months prior to the election date, the CEC and the AMA sign a memorandum of understanding on the rules, modalities and time limits for the use of the technical capacities of the AMA for the purposes of monitoring.

# The Media Monitoring Board

- 2. The Board presents its report on its monitoring conclusions for the previous day to the CEC on a daily basis. The report is to be accompanied, on a case-by-case basis, with proposals for administrative sanctions. The Board, collegially or each of its members, has the right to propose the taking of administrative measures. Local monitors report to the Local Electoral Commission where they are located. A copy of the report, together with the opinion of the Local Electoral Commission, is sent immediately to the Media Monitoring Board and becomes part of the daily report to the CEC.
- 3. Complaints of electoral subjects are examined together with the report of the Media Monitoring Board.



# The Media Monitoring Board

- 4. The CEC examines the reports of the Media Monitoring Board not less than once a week. The CEC makes a decision on the reports every time administrative measures are proposed. CEC decisions may be appealed in accordance with the procedures provided for in this Code.
- 5. Public and private radios and televisions are obliged to register all their broadcasts during the period of the electoral campaign. These registrations are retained for a period of three months after the conclusion of elections and are made immediately available to the commission on the request of the CEC.

# Thank you!



*Adresa:* Rr. "Abdi Toptani" 1001, Tiranë, *Tel:* +355 4 2226287,  
*e-mail:* [info@ama.gov.al](mailto:info@ama.gov.al), [www.ama.gov.al](http://www.ama.gov.al)